

**RESPONSE TO FREEDOM OF  
INFORMATION ACT (FOIA) REQUEST**

FOIA

NRC-2018-000061

RESPONSE NUMBER

1

RESPONSE  
TYPE☐

INTERIM

☒

FINAL

## REQUESTER:

Julian Tarver

## DATE:

12/19/2017

## DESCRIPTION OF REQUESTED RECORDS:

"all internal/external communications related to FOIA's 2017-0691, 2017-0255, 2017-0161A, 2018-0001A, [and] 2017-0649."

**PART I. -- INFORMATION RELEASED**

You have the right to seek assistance from the NRC's FOIA Public Liaison. Contact information for the NRC's FOIA Public Liaison is available at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>

- ☐ Agency records subject to the request are already available on the Public NRC Website, in Public ADAMS or on microfiche in the NRC Public Document Room.
- ☒ Agency records subject to the request are enclosed.
- ☐ Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- ☐ We are continuing to process your request.
- ☒ See Comments.

**PART I.A -- FEES****NO FEES**

AMOUNT\*

\*See Comments for details

- ☐ You will be billed by NRC for the amount listed.
- ☐ You will receive a refund for the amount listed.
- ☐ Fees waived.

- ☒ Minimum fee threshold not met.
- ☐ Due to our delayed response, you will not be charged fees.

**PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE**

- ☐ We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- ☒ We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- ☐ Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.
- ☒ You may appeal this final determination within 90 calendar days of the date of this response by sending a letter or e-mail to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal." You have the right to seek dispute resolution services from the NRC's Public Liaison, or the Office of Government Information Services (OGIS). Contact information for OGIS is available at <https://ogis.archives.gov/about-ogis/contact-information.htm>

**PART I.C COMMENTS ( Use attached Comments continuation page if required)**

Please note that, with the exception of FOIA-2017-0691, the other FOIA requests and appeals for which you requested internal and external communications were yours. So as to ensure that the number of pages provided in response to this request doesn't exceed the threshold at which you'd incur fees (given your refusal to incur fees in any of your requests, and our determination that you are not entitled to a fee waiver), we have not included within the scope of responsive external communications any acknowledgment letters, Form 464 responses, or appeal letter responses that you already received when we processed those requests and appeals.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney  
Date: 2017.12.19 14:09:52 -05'00'

**RESPONSE TO FREEDOM OF  
INFORMATION ACT (FOIA) REQUEST**

NRC-2018-000061

DATE:

12/19/2017

**PART II.A -- APPLICABLE EXEMPTIONS**

Records subject to the request are being withheld in their entirety or in part under the FOIA exemption(s) as indicated below (5 U.S.C. 552(b)).

- ☐ Exemption 1: The withheld information is properly classified pursuant to an Executive Order protecting national security information.
- ☐ Exemption 2: The withheld information relates solely to the internal personnel rules and practices of NRC.
- ☐ Exemption 3: The withheld information is specifically exempted from public disclosure by the statute indicated.
- ☐ Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).
- ☐ Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).
- ☐ 41 U.S.C. 4702(b), which prohibits the disclosure of contractor proposals, except when incorporated into the contract between the agency and the submitter of the proposal.
- ☐ Exemption 4: The withheld information is a trade secret or confidential commercial or financial information that is being withheld for the reason(s) indicated.
- ☐ The information is considered to be proprietary because it concerns a licensee's or applicant's physical protection or material control and accounting program for special nuclear material pursuant to 10 CFR 2.390(d)(1).
- ☐ The information is considered to be another type of confidential business (proprietary) information.
- ☐ The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2).
- ☒ Exemption 5: The withheld information consists of interagency or intraagency records that are normally privileged in civil litigation.
- ☒ Deliberative process privilege.
- ☐ Attorney work product privilege.
- ☐ Attorney-client privilege.
- ☒ Exemption 6: The withheld information from a personnel, medical, or similar file, is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy.
- ☐ Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated.
- ☐ (A) Disclosure could reasonably be expected to interfere with an open enforcement proceeding.
- ☐ (C) Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
- ☐ (D) The information consists of names and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources.
- ☐ (E) Disclosure would reveal techniques and procedures for law enforcement investigations or prosecutions, or guidelines that could reasonably be expected to risk circumvention of the law.
- ☐ (F) Disclosure could reasonably be expected to endanger the life or physical safety of an individual.
- ☐ Other

**PART II.B -- DENYING OFFICIALS**

In accordance with 10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulatory Commission regulations, the official(s) listed below have made the determination to withhold certain information responsive to your request.

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL	
			EDO	SECY
Stephanie A. Blaney	FOIA Officer	third party PII; internal deliberations	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

Appeals must be made in writing within 90 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal."

Date: October 11, 2017

## ROUTING AND TRANSMITTAL SLIP

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. FOIA Officer	SR	10/11/17
2. OGC	JS	10/24/17
3. David Nelson, CIO	DM	10/25/17
4.		
5.		

**SUBJECT:** Response to FOIA Appeal 2018-0001A

The statutory response due date is: 11/03/2017

This appeal response **will not** be made publicly available.

**Please return to the FOIA office or notify the FOIA Office once final concurrence and signature is obtained.**

Thank you,

FROM:  Lezlie Colbert OCIO/GEMS/ISB	Room No.-- Bldg. T2-F15
	Telephone -- 415-5966



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

OCT 25 2017

IN RESPONSE REFER TO:  
FOIA/PA-2018-00001A  
FOIA/PA-2017-00649

Julian Tarver  
Washington State Penitentiary IMU South H-2  
1313 N 13th Avenue  
Walla Walla, WA 99362

Dear Mr. Tarver:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated September 25, 2017, in which you appealed the agency's August 17, 2017, response related to your July 21, 2017 Freedom of Information Act (FOIA) request, FOIA/PA-2017-00649. You appealed the adequacy of search.<sup>1</sup>

Acting on your appeal, I have considered the matter and have determined that the search for any MOU, MOA, or contracts with the CNPPD was proper and complete to identify any records responsive to your request. Your request was tasked to the program offices within the NRC that have subject matter responsibility over these types of records: the Office of Administration for any MOU, MOA or contracts, and the Office of Nuclear Security & Incident Response (NSIR) for records dealing with nuclear preparedness. In our final response, we provided you with the one record NSIR located in response to the part of your request that asked for records reflecting any contacts with the CNPPD (which you do not challenge on appeal). These offices did not locate any additional records responsive to your request. Therefore, I have denied your appeal.

This is the final agency decision. As set forth in the FOIA (5 U.S.C. 552(a)(4)(B)), you may seek judicial review of this decision in the district court of the United States in the district in which you reside or have your principal place of business. You may also seek judicial review in the district in which the agency's records are situated or in the District of Columbia.

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a nonexclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

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<sup>1</sup> More specifically, your appeal challenges the "no record" finding for the part of your request that asked for "all MOU, MOA, and contracts, both active and closed, with the Department of Homeland Security's Chemical & Nuclear Preparedness & Protection Division (CNPPD) from 2001 to the present."

Tarver, J.

- 3 -

Office of Government Information Services  
National Archives and Records Administration  
732 North Capitol Street, NW  
Washington, D.C. 20401  
Email: [ogis@nara.gov](mailto:ogis@nara.gov)  
Telephone: 202-741-5770  
Toll-free: 1-877-684-6448  
Fax: 202-741-5769

Sincerely,

David J. Nelson  
Chief Information Officer  
Office of the Chief Information Officer

Distribution: ISB r/f  
RidsOCIO Resource

ADAMS Accession No.:

\* Concurred via e-mail

To receive a copy of this document, indicate in the box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

OFFICE	OCIO/GEMS/ISB	OCIO/GEMS/ISB	Program Office	OGC	OCIO
NAME	L Colbert <i>LC</i>	S Blaney <i>SB</i>		J Sutterhen <i>JS</i>	<i>NO</i>
DATE	10/11/17	10/11/17		10/24/11	10/25/11

OFFICIAL RECORD COPY

**Colbert, Lezlie**

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**To:** Warner, Deanna  
**Subject:** RE: FOIA/PA-2017-00457 Action Item/Instructions Non-Excepted Requester Fee Estimate Required

**From:** Warner, Deanna  
**Sent:** Wednesday, June 21, 2017 9:08 AM  
**To:** Danoff, Karen <Karen.Danoff@nrc.gov>  
**Cc:** FOIAPANSIR Resource <FOIAPANSIR.Resource@nrc.gov>  
**Subject:** FW: FOIA/PA-2017-00457 Action Item/Instructions Non-Excepted Requester Fee Estimate Required

Hi Karen,

NSIR has no current known contacts responsive to this request. From searches conducted by staff of their internal files and ADAMS, the DHS Chemical and Nuclear Preparedness and Protection Division existed in the mid-2000 timeframe; however, from our understanding this division no longer exists.

<https://www.nrc.gov/docs/ML0618/ML061880048.pdf> - identifies an NRC liaison for DHS/CNPPD – July 2006. Although a public record, providing this record to the requester may cause confusion since CNPPD no longer exists nor is Ms. Lisa Gibney, who was designated as the NRC liaison, affiliated with the NRC.

<https://www.nrc.gov/docs/ML0634/ML063460255.pdf> - Homeland Security letter to RIII – perhaps the Regions may have POCs?

NSIR considers this FOIA closed.

Thanks,

*Deanna*

301-287-3702

**From:** Danoff, Karen [<mailto:foia.resource@nrc.gov>]  
**Sent:** Tuesday, June 20, 2017 1:11 PM  
**To:** FOIAPAADM Resource <[FOIAPAADM.Resource@nrc.gov](mailto:FOIAPAADM.Resource@nrc.gov)>; FOIAPANSIR Resource <[FOIAPANSIR.Resource@nrc.gov](mailto:FOIAPANSIR.Resource@nrc.gov)>  
**Cc:** Warner, Deanna <[Deanna.Warner@nrc.gov](mailto:Deanna.Warner@nrc.gov)>; Danoff, Karen <[Karen.Danoff@nrc.gov](mailto:Karen.Danoff@nrc.gov)>  
**Subject:** FOIA/PA-2017-00457 Action Item/Instructions Non-Excepted Requester Fee Estimate Required

**Offices Assigned Action on June 20, 2017:**  
ADM;NSIR

*This replaces the fee estimate tasking this morning with a due date of June 26. This new tasking has the correct 4-day due date of June 23.*

*The first portion of the request (about NRC contacts at DHS/DCPPD) is tasked to NSIR, and the second portion of the request (about all the MOUs, MOAs, and contracts with DHS/DCPPD) is assigned to ADM.*

This requester has been placed in the "non-excepted" fee category, being responsible only for search fees in excess of two (2) hours and duplication costs after receiving 100 pages free of charge. Therefore, your initial fee estimate of search fees and duplication costs is required on or before **June 23, 2017**, which is four (4) working days from the date of this e-mail.

The Government Information Specialist for this request is **Karen Danoff**, who can be reached at **301-415-5072** or [Karen.Danoff@nrc.gov](mailto:Karen.Danoff@nrc.gov).

If there are no responsive records, please respond with "No Records". If you believe any other office, not copied on this e-mail, may have records responsive to this request, please let the assigned specialist know.

The FOIA request should be processed in accordance with the standard instructions (How to Respond to a FOIA Request) at **ML16123A164**. To ensure that

search time is calculated appropriately and consistently, search is the time spent by any staff member looking for material subject to a request, either manually or by automated means, including time spent in page-by-page or line-by-line identification of responsive material within records. Searches should identify all paper and electronic records maintained by your office, including records in any file centers or other remote locations, all versions in ADAMS, Sharepoint, or other shared drives, as well as individual staff members' Outlook, Office, and other computer files, audio and video tapes, and any other media.

You are encouraged to ask for a scoping discussion with the requester when you believe it will be beneficial.

You are encouraged to ask for assistance in performing adequate ADAMS searches if you have any difficulty doing a search.

NRC Form 496, "Report of Staff Resources for Processing FOIA/PA Requests" is available in the NRC Forms Library for your use.

To avoid inundating [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov), when you (or any member of your staff) respond to this tasking, please make sure that your office's emails are being sent ONLY to the assigned specialist. If a specialist is scheduled to be out of the office when your tasking is due, he or she will advise you of any change to this practice.

Thank you.

<b>NRC FORM 464 Part I</b> (03-2017)		<b>U.S. NUCLEAR REGULATORY COMMISSION</b>		<b>FOIA</b> 2017-0649	<b>RESPONSE NUMBER</b> 1
 <b>RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST</b>				<b>RESPONSE TYPE</b> <input type="checkbox"/> INTERIM <input checked="" type="checkbox"/> FINAL	
<b>REQUESTER:</b> Julian Tarver					<b>DATE:</b> 08/17/2017
<b>DESCRIPTION OF REQUESTED RECORDS:</b> (1) All NRC known contacts at the Department of Homeland Security-Chemical & Nuclear Preparedness & Protection Division(CNPPD), and (2) All MOU, MOA, and contracts both active and closed with CNPPD and NRC from 2001 to present					
<b>PART I. - INFORMATION RELEASED</b>					
You have the right to seek assistance from the NRC's FOIA Public Liaison. Contact information for the NRC's FOIA Public Liaison is available at <a href="https://www.nrc.gov/reading-rm/foia/contact-foia.html">https://www.nrc.gov/reading-rm/foia/contact-foia.html</a>					
<input type="checkbox"/> Agency records subject to the request are already available on the Public NRC Website, in Public ADAMS or on microfiche in the NRC Public Document Room.					
<input checked="" type="checkbox"/> Agency records subject to the request are enclosed.					
<input type="checkbox"/> Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.					
<input type="checkbox"/> We are continuing to process your request.					
<input checked="" type="checkbox"/> See Comments.					
<b>PART I.A - FEES</b>					
AMOUNT* <div style="border: 1px solid black; width: 100px; height: 20px; margin: 5px 0;"></div> <small>*See Comments for details</small>		<input type="checkbox"/> You will be billed by NRC for the amount listed. <input type="checkbox"/> You will receive a refund for the amount listed. <input type="checkbox"/> Fees waived.			
		<b>NO FEES</b>			
		<input checked="" type="checkbox"/> Minimum fee threshold not met. <input type="checkbox"/> Due to our delayed response, you will not be charged fees.			
<b>PART I.B - INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE</b>					
<input type="checkbox"/> We did not locate any agency records responsive to your request. <i>Note:</i> Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.					
<input type="checkbox"/> We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.					
<input type="checkbox"/> Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.					
<input checked="" type="checkbox"/> You may appeal this final determination within 90 calendar days of the date of this response by sending a letter or e-mail to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or <a href="mailto:FOIA.Resource@nrc.gov">FOIA.Resource@nrc.gov</a> . Please be sure to include on your letter or email that it is a "FOIA Appeal." You have the right to seek dispute resolution services from the NRC's Public Liaison, or the Office of Government Information Services (OGIS). Contact information for OGIS is available at <a href="https://ogis.archives.gov/about-ogis/contact-information.htm">https://ogis.archives.gov/about-ogis/contact-information.htm</a>					
<b>PART I.C COMMENTS ( Use attached Comments continuation page if required)</b>					
In response to item 1 of your request, we have provided the only record that reflects "NRC known contacts". As you can see, it is dated 2006 and NRC staff has informed us that it is no longer current. Neither Mr. Lickus nor Ms. Gibney work at the NRC.					
In response to item 2 of your request, we did not locate any agency records that are responsive.					
<b>Signature - Freedom of Information Act Officer or Designee</b> <div style="border: 1px solid black; padding: 2px;"> <b>Stephanie A. Blaney</b> <small>Digitally signed by Stephanie A. Blaney DN: cn=US, o=U.S. Government, ou=U.S. Nuclear Regulatory Commission, email=Stephanie.A.Blaney@nrc.gov, c=US Date: 2017.08.17 08:22:44 -0400</small> </div>				<b>Distribution</b> ADM, NSIR	
OFFICE	ACTION OFFICER	FOIA OFFICER			
NAME	LColbert	SBlaney			
DATE	08/16/2017	08/17/2017			
					<input type="checkbox"/> PUBLIC ADAMS <input checked="" type="checkbox"/> NON-PUBLIC ADAMS



**Danoff, Karen**

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**From:** Danoff, Karen <Karen.Danoff@nrc.gov>  
**Sent:** Monday, January 23, 2017 10:28 AM  
**To:** FOIA/PAOIG Resource  
**Cc:** (b)(6) Danoff, Karen  
**Subject:** FOIA/PA-2017-00255 Action Item/Instructions Search for Records in Perfected Request  
**Attachments:** 2017-0255-r.pdf; FOIA-PA-2017-00255(01232017102741).adx

*0 It sent records on 2/3, closed out tasking on 2/3*

You have received this email message from FOIAXpress Request for Documents module. A RedactXpress (ADX) file has been attached with this email to add documents. You need to have the RedactXpress application to open and add documents to this file. Your response Due date is: 02/03/2017. Message from SENDER: Offices Assigned Action on January 23, 2017:  
OIG

Due to the OIG fee estimate received on January 23, 2017, are no billable fees. The request is now considered "perfected." Please provide the Government Information Specialist, who is named below, with the responsive records on or before **February 3, 2017**, which is ten (10) working days from the date of this e-mail.

The Government Information Specialist for this request is **Karen Danoff**, who can be reached at 301-415-5072 or [Karen.Danoff@nrc.gov](mailto:Karen.Danoff@nrc.gov).

If there are no responsive records, please respond with "No records." If you believe any other office, not copied on this e-mail, may have responsive records, please let the assigned specialist know.

The FOIA request should be processed in accordance with the standard instructions (How to Respond to a FOIA Request) at **ML16123A164**. NRC Form 511, "Program Office Response to a FOIA Request" is available in the NRC Forms Library for your use.

In order to document the search conducted, in the event of an appeal challenging the adequacy of the search, please also have each member of your staff who conducts a search complete NRC Form 511A, "Documentation of a FOIA Search," which is also available in the NRC Forms Library for your use. Please review these forms to ensure that an adequate, and consistent, search has been performed within your office. Then include copies of the completed NRC Forms 511A along with the NRC Form 511 you return to the assigned specialist. Alternatively, you may complete the NRC Form 511A on behalf of your office, based upon the descriptions of searches provided to you by your office staff.

You are encouraged to ask for assistance in performing adequate ADAMS searches if you have any difficulty doing a search.

NRC Form 496, "Report of Staff Resources for Processing FOIA Requests" is also available in the NRC Forms Library for your use.

To avoid inundating [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov), when you (or any member of your staff) respond to this tasking, please make sure that your office's emails are being sent ONLY to the assigned specialist. If a specialist is scheduled to be out of the office when your tasking is due, he or she will advise you of any change to this practice.

Thank you.

**Danoff, Karen**

---

**From:** FOIA/PAOIG Resource  
**Sent:** Monday, January 23, 2017 9:35 AM  
**To:** Danoff, Karen  
**Cc:** Danoff, Karen  
**Subject:** RE: FOIA/PA-2017-00255 Action Item/Instructions Non-Exempted Requester Fee Estimate Required

Karen,

Search time: Less than 2 hours

Responsive Records Pages: 128 - w/in the threshold

Copying: 1 hours X

Review Time: 2 days X

*search & dup.  
this*

Thanks,

(b)(6)

**From:** Danoff, Karen [mailto:Karen.Danoff@nrc.gov]  
**Sent:** Thursday, January 19, 2017 7:26 AM  
**To:** FOIA/PAOIG Resource <FOIA/PAOIG.Resource@nrc.gov>  
**Cc:** (b)(6) Danoff, Karen <Karen.Danoff@nrc.gov>  
**Subject:** FOIA/PA-2017-00255 Action Item/Instructions Non-Exempted Requester Fee Estimate Required

You have received this email message from FOIAXpress Request for Documents module. A RedactXpress (ADX) file has been attached with this email to add documents. You need to have the RedactXpress application to open and add documents to this file. Your response Due date is: 01/25/2017. Message from SENDER: offices Assigned Action on January 19, 2017:  
OIG

This requester has been placed in the "non-exempted" fee category, being responsible only for search fees in excess of two (2) hours and duplication costs after receiving 100 pages free of charge. Therefore, your initial fee estimate of search fees and duplication costs is required on or before January 25, 2017, which is four (4) working days from the date of this e-mail.

The Government Information Specialist for this request is **Karen Danoff**, who can be reached at 301-415-5072 or [Karen.Danoff@nrc.gov](mailto:Karen.Danoff@nrc.gov).

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Thank you.

RESPONSE TO FREEDOM OF  
INFORMATION ACT (FOIA) REQUEST

2017-0255

1

RESPONSE  
TYPE☐

INTERIM

☒

FINAL

## REQUESTER:

Julian Tarver

## DATE:

FEB 15 2017

## DESCRIPTION OF REQUESTED RECORDS:

Initial investigation report of OIG case numbers and final investigation report of C 14-001, C 13-053, C 15-006 and C 15-007

## PART I. - INFORMATION RELEASED

- ☐ Agency records subject to the request are already available in public ADAMS or on microfiche in the NRC Public Document Room.
- ☒ Agency records subject to the request are enclosed.
- ☐ Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- ☐ We are continuing to process your request.
- ☒ See Comments.

## PART I.A. - FEES

AMOUNT\*

\$

0.00

☐

You will be billed by NRC for the amount listed.

☒

None. Minimum fee threshold not met.

☐

You will receive a refund for the amount listed.

☐

Fees waived.

\*See Comments for details

## PART I.B. - INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- ☐ We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
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- ☒ You may appeal this final determination within 30 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal."

## PART I.C. COMMENTS ( Use attached Comments continuation page if required)

In conformance with the FOIA Improvement Act of 2016, the NRC is informing you that: (1) you have the right to seek assistance from the NRC's FOIA Public Liaison; (2) you have the right to seek dispute resolution services from the NRC's FOIA Public Liaison or the Office of Government Information Services; and (3) notwithstanding the language in Parts I.B and II.B of this form, you may appeal this final determination within 90 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal." The responsive records are enclosed.

SIGNATURE - ASSISTANT INSPECTOR GENERAL FOR INVESTIGATIONS, OIG

Joseph McMillan

DISTRIBUTION

OIG

OFFICE ACTION OFFICER AIG OFFICER

NAME

(b)(6)

J McMillan

DATE

2/13/17

2/15/17

☐

PUBLIC ADAMS

☒

NON-PUBLIC ADAMS

RESPONSE TO FREEDOM OF  
INFORMATION ACT (FOIA) REQUEST

2017-0255

DATE:

FEB 15 2017

## PART II.A – APPLICABLE EXEMPTIONS

Records subject to the request are being withheld in their entirety or in part under the FOIA exemption(s) as indicated below (5 U.S.C. 552(b)).

- ☐ Exemption 1: The withheld information is properly classified pursuant to an Executive Order protecting national security information.
- ☐ Exemption 2: The withheld information relates solely to the internal personnel rules and practices of NRC.
- ☐ Exemption 3: The withheld information is specifically exempted from public disclosure by the statute indicated.
- ☐ Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).
- ☐ Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).
- ☐ 41 U.S.C. 4702(b), which prohibits the disclosure of contractor proposals, except when incorporated into the contract between the agency and the submitter of the proposal.
- ☐ Exemption 4: The withheld information is a trade secret or confidential commercial or financial information that is being withheld for the reason(s) indicated.
- ☐ The information is considered to be proprietary because it concerns a licensee's or applicant's physical protection or material control and accounting program for special nuclear material pursuant to 10 CFR 2.390(d)(1).
- ☐ The information is considered to be another type of confidential business (proprietary) information.
- ☐ The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2).
- ☐ Exemption 5: The withheld information consists of interagency or intraagency records that are normally privileged in civil litigation.
- ☐ Deliberative process privilege.
- ☐ Attorney work product privilege.
- ☐ Attorney-client privilege.
- ☐ Exemption 6: The withheld information from a personnel, medical, or similar file, is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy.
- ☒ Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated.
- ☐ (A) Disclosure could reasonably be expected to interfere with an open enforcement proceeding.
- ☒ (C) Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
- ☐ (D) The information consists of names and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources.
- ☒ (E) Disclosure would reveal techniques and procedures for law enforcement investigations or prosecutions, or guidelines that could reasonably be expected to risk circumvention of the law.
- ☐ (F) Disclosure could reasonably be expected to endanger the life or physical safety of an individual.
- ☐ Other

## PART II.B – DENYING OFFICIALS

In accordance with 10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulatory Commission regulations, the official(s) listed below have made the determination to withhold certain information responsive to your request.

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL		
			EDO	SECY	IG
Joseph A. McMullan	Assistant Inspector General for Investigations, OIG	OIG investigation reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Appeals must be made in writing within 30 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal."

## Colbert, Lezlie

---

**From:** FOIAPAADM Resource  
**Sent:** Tuesday, August 15, 2017 12:33 PM  
**To:** Colbert, Lezlie  
**Cc:** FOIAPAADM Resource; FOIA Resource  
**Subject:** FW: FOIA/PA-2017-00649 Action: Fee Estimate Required by 12 noon August 15th

The search returned no records. I've outlined the search below. If you have any questions, please let me know.

Thanks!  
Jill

**From:** FOIAPAADM Resource  
**Sent:** Thursday, August 10, 2017 2:08 PM  
**To:** Daly, Jill <Jill.Daly@nrc.gov>; Rivas, Audrey <Audrey.Rivas@nrc.gov>  
**Cc:** FOIAPAADM Resource <FOIAPAADM.Resource@nrc.gov>; Green, Rodneshia <Rodneshia.Green@nrc.gov>  
**Subject:** FOIA/PA-2017-00649 Action: Fee Estimate Required by 12 noon August 15th

Good Day,

This subject FOIA has been assigned to AMD. FOIA Guidance is available in SharePoint to assist staff with the initial Fee Estimate.

**Summary:**

FOIA-2017-0457 asked for (1) all NRC known contacts at DHS-Chemical & Nuclear Preparedness and Protection Division (CNPPD) and (2) all MOU, MOA, and contracts with CNPPD and NRC. Please conduct a new search on item 2 listed above and provide your estimate. NSIR provided two links to ML #'s (ML061880048 and ML063460255).

This requester has been placed in the **"non-excepted" fee category**, being responsible only for search fees in excess of two (2) hours and duplication costs after receiving 100 pages free of charge. Please provide initial **fee estimates** to FOIAPAADM.resource@nrc.gov on or before **12 noon August 15, 2017**.

Search Time: 20 minutes

Review Time: N/A

Search Criteria (Specify ADAMS, Outlook, Personal and/or Shared drives, spreadsheets, other office applications, File Room, etc.): STAQS, AAMS Legacy Report

Volume of Records (Est # of pages): 0

ADM POC: Jill Daly

Availability of Records (Specify the following: ADAMS Records, Withhold in Part, Withhold in Entirety, Clean Copies)

GSA Contract: Y/N (if applicable)

If there are no responsive records, please respond with "no records".

Thank you.

## Colbert, Lezlie

---

**From:** Warner, Deanna  
**Sent:** Monday, August 14, 2017 10:26 AM  
**To:** Colbert, Lezlie  
**Cc:** FOIAPANSIR Resource  
**Subject:** FW: FOIA/PA-2017-00649 Action Item/Instructions Non-Exepected Requester Fee Estimate Required  
**Attachments:** 2017-0649-r.pdf

Hi Lezlie,

NSIR provides an estimated search time of 30 minutes for the subject FOIA. Please let me know if there is anything else you may need.

Thanks,

*Deanna*

301-287-3702

**From:** Colbert, Lezlie [mailto:Lezlie.Colbert@nrc.gov]  
**Sent:** Thursday, August 10, 2017 1:16 PM  
**To:** FOIAPAADM Resource <FOIAPAADM.Resource@nrc.gov>; FOIAPANSIR Resource <FOIAPANSIR.Resource@nrc.gov>  
**Cc:** Warner, Deanna <Deanna.Warner@nrc.gov>  
**Subject:** FOIA/PA-2017-00649 Action Item/Instructions Non-Exepected Requester Fee Estimate Required

Offices Assigned Action on August 10, 2017:  
ADM;NSIR

FOIA-2017-0457 asked for (1) all NRC known contacts at DHS-Chemical & Nuclear Preparedness and Protection Division (CNPPD) and (2) all MOU, MOA, and contracts with CNPPD and NRC.

In the estimate stages of FOIA-2017-0457 ADM asked for a clarification (which we now have). Please conduct a new search on item 2 listed above and provide your estimate. NSIR provided two links to ML #'s (ML061880048 and ML063460255), no additional search is required at this time (for NSIR). Please provide an estimate on the amount of time NSIR spent searching for documents for FOIA-2017-0457.

This requester has been placed in the "non-exepected" fee category, being responsible only for search fees in excess of two (2) hours and duplication costs after receiving 100 pages free of charge. Therefore, your initial fee estimate of search fees and duplication costs is required on or before August 15, 2017, which is four (4) working days from the date of this e-mail.

The Government Information Specialist for this request is Lezlie Colbert, who can be reached at 301-415-5966 or [Lezlie.Colbert@nrc.gov](mailto:Lezlie.Colbert@nrc.gov).

If there are no responsive records, please respond with "No Records". If you believe any other office, not copied on this e-mail, may have records responsive to this request, please let the assigned specialist know.

The FOIA request should be processed in accordance with the standard instructions (How to Respond to a FOIA Request) at [ML16123A164](#). To ensure that search time is calculated appropriately and consistently, search is the time spent by any staff member looking for material subject to a request, either manually or by automated means, including time spent in page-by-page or line-by-line identification of responsive material within records. Searches should identify all paper and electronic records maintained by your office, including records in any file centers or other remote locations, all versions in ADAMS, Sharepoint, or other shared drives, as well as individual staff members' Outlook, Office, and other computer files, audio and video tapes, and any other media.

You are encouraged to ask for a scoping discussion with the requester when you believe it will be beneficial.

You are encouraged to ask for assistance in performing adequate ADAMS searches if you have any difficulty doing a search.

NRC Form 496, "Report of Staff Resources for Processing FOIA/PA Requests" is available in the NRC Forms Library for your use.

To avoid inundating [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov), when you (or any member of your staff) respond to this tasking, please make sure that your office's emails are being sent ONLY to the assigned specialist. If a specialist is scheduled to be out of the office when your tasking is due, he or she will advise you of any change to this practice.

Sharepoint, or other shared drives, as well as individual staff members' Outlook, Office, and other computer files, audio and video tapes, and any other media.

You are encouraged to ask for a scoping discussion with the requester when you believe it will be beneficial.

You are encouraged to ask for assistance in performing adequate ADAMS searches if you have any difficulty doing a search.

NRC Form 496, "Report of Staff Resources for Processing FOIA/PA Requests" is available in the NRC Forms Library for your use.

To avoid inundating [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov), when you (or any member of your staff) respond to this tasking, please make sure that your office's emails are being sent ONLY to the assigned specialist. If a specialist is scheduled to be out of the office when your tasking is due, he or she will advise you of any change to this practice.

Thank you.

RESPONSE TO FREEDOM OF  
INFORMATION ACT (FOIA) REQUEST

2017-0457

1

RESPONSE  
TYPE☐

INTERIM

☒

FINAL

## REQUESTER:

Julian Tarver

## DATE:

07/11/2017

## DESCRIPTION OF REQUESTED RECORDS:

All NRC known contacts at Dept. of Homeland Security - Chemical & Nuclear Preparedness and Protection Division (CNPPD); all MOU, MOA, contracts with same & NRC

## PART I - INFORMATION RELEASED

You have the right to seek assistance from the NRC's FOIA Public Liaison. Contact information for the NRC's FOIA Public Liaison is available at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>

- ☐ Agency records subject to the request are already available on the Public NRC Website, in Public ADAMS or on microfiche in the NRC Public Document Room.
- ☐ Agency records subject to the request are enclosed.
- ☐ Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- ☐ We are continuing to process your request.
- ☒ See Comments.

## PART IA - FEES

AMOUNT\*

\*See Comments for details

☐

You will be billed by NRC for the amount listed.

☐

You will receive a refund for the amount listed.

☐

Fees waived.

## NO FEES

☐

Minimum fee threshold not met.

☐

Due to our delayed response, you will not be charged fees.

## PART IB - INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- ☐ We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- ☐ We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- ☐ Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.

☐ You may appeal this final determination within 90 calendar days of the date of this response by sending a letter or e-mail to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal." You have the right to seek dispute resolution services from the NRC's Public Liaison, or the Office of Government Information Services (OGIS). Contact information for OGIS is available at <https://ogis.archives.gov/about-ogis/contact-information.htm>

## PART IC COMMENTS ( Use attached Comments continuation page if required)

We did not receive a response to our June 23, 2017 scope clarification request by our due date of July 10, 2017. Per our letter, your FOIA request is being closed out administratively. You may file another FOIA request by specifying your time frame, and whether you are interested in closed or active contracts.

Signature - Freedom of Information Act Officer or Designee

Karen Danoff

Distribution

NSIR, ADM

OFFICE	ACTION OFFICER	FOIA OFFICER				<input type="checkbox"/> PUBLIC ADAMS <input checked="" type="checkbox"/> NON-PUBLIC ADAMS
NAME	KDanoff	MSBlaneyKD				
DATE	07/11/2017	07/11/2017				



**Colbert, Lezlie**

---

**From:** FOIAPAADM Resource  
**Sent:** Thursday, June 22, 2017 8:40 AM  
**To:** Danoff, Karen; FOIAPAADM Resource  
**Subject:** RE: FOIA/PA-2017-00457 Action Item/Instructions Non-Excepted Requester Fee Estimate Required

(b)(5)

**From:** Danoff, Karen  
**Sent:** Wednesday, June 21, 2017 3:38 PM  
**To:** FOIAPAADM Resource <FOIAPAADM.Resource@nrc.gov>  
**Subject:** RE: FOIA/PA-2017-00457 Action Item/Instructions Non-Excepted Requester Fee Estimate Required

(b)(5)

Thanks,  
Karen

**From:** FOIAPAADM Resource  
**Sent:** Wednesday, June 21, 2017 3:27 PM  
**To:** FOIA Resource <FOIA.Resource@nrc.gov>; FOIAPAADM Resource <FOIAPAADM.Resource@nrc.gov>  
**Cc:** Danoff, Karen <Karen.Danoff@nrc.gov>  
**Subject:** RE: FOIA/PA-2017-00457 Action Item/Instructions Non-Excepted Requester Fee Estimate Required

(b)(5)

**From:** Danoff, Karen [<mailto:foia.resource@nrc.gov>]  
**Sent:** Tuesday, June 20, 2017 1:11 PM  
**To:** FOIAPAADM Resource <FOIAPAADM.Resource@nrc.gov>; FOIAPANSIR Resource <FOIAPANSIR.Resource@nrc.gov>  
**Cc:** Warner, Deanna <Deanna.Warner@nrc.gov>; Danoff, Karen <Karen.Danoff@nrc.gov>  
**Subject:** FOIA/PA-2017-00457 Action Item/Instructions Non-Excepted Requester Fee Estimate Required

**Offices Assigned Action on June 20, 2017:**  
ADM:NSIR

*This replaces the fee estimate tasking this morning with a due date of June 26. This new tasking has the correct 4-day due date of June 23.*

*The first portion of the request (about NRC contacts at DHS/DCPPD) is tasked to NSIR, and the second portion of the request (about all the MOUs, MOAs, and contracts with DHS/DCPPD) is assigned to ADM.*

This requester has been placed in the "non-excepted" fee category, being responsible only for search fees in excess of two (2) hours and duplication costs after receiving 100 pages free of charge. Therefore, your initial fee estimate of search fees and duplication costs is required on or before June 23, 2017, which is four (4) working days from the date of this e-mail.

The Government Information Specialist for this request is Karen Danoff, who can be reached at 301-415-5072 or [Karen.Danoff@nrc.gov](mailto:Karen.Danoff@nrc.gov).

If there are no responsive records, please respond with "No Records". If you believe any other office, not copied on this e-mail, may have records responsive to this request, please let the assigned specialist know.

The FOIA request should be processed in accordance with the standard instructions (How to Respond to a FOIA Request) at [ML16123A164](#). To ensure that search time is calculated appropriately and consistently, search is the time spent by any staff member looking for material subject to a request, either manually or by automated means, including time spent in page-by-page or line-by-line identification of responsive material within records. Searches should identify all paper and electronic records maintained by your office, including records in any file centers or other remote locations, all versions in ADAMS, Sharepoint, or other shared drives, as well as individual staff members' Outlook, Office, and other computer files, audio and video tapes, and any other media.

You are encouraged to ask for a scoping discussion with the requester when you believe it will be beneficial.

You are encouraged to ask for assistance in performing adequate ADAMS searches if you have any difficulty doing a search.

NRC Form 496, "Report of Staff Resources for Processing FOIA/PA Requests" is available in the NRC Forms Library for your use.

To avoid inundating [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov), when you (or any member of your staff) respond to this tasking, please make sure that your office's emails are being sent ONLY to the assigned specialist. If a specialist is scheduled to be out of the office when your tasking is due, he or she will advise you of any change to this practice.

Thank you.

**From:** Megan Ford  
**To:** FOIA Resource  
**Subject:** WWW Form Submission  
**Date:** Saturday, September 16, 2017 5:43:08 PM

---

Below is the result of your feedback form. It was submitted by

Megan Ford (b)(6) on Saturday, September 16, 2017 at 17:41:19

through the IP (b)(6)

using the form at <https://www.nrc.gov/reading-rm/foia/foia-submittal-form.html>

and resulted in this email to foia.resource@nrc.gov

---

Company/Affiliation: Virginia Commonwealth University

Address1: Virginia Commonwealth University

Address2:

City: Richmond

State: VA

Zip: 23284

Country: United\_States

Country-Other:

Phone:

Desc: Number of nuclear war heads on the planet, broken down by country.

FeeCategory: Educational

MediaType:

MediaType\_Other\_Description:

Expedite\_ImminentThreatText:

Expedite\_UrgencyToInformText:

Waiver\_Purpose: Class research assignment to interact with FoIA

Waiver\_ExtentToExtractAnalyze: Minimally

Waiver\_SpecificActivityQuals: Records will accompany a research assignment upon submission for class grade. I am a graduate student.

Waiver\_ImpactPublicUnderstanding: The general public will not see this information. It is for a singular class

assignment.

Waiver\_NatureOfPublic: Minimal.

Waiver\_MeansOfDissemination: Dissemination will be minimal, if at all. There are no means of dissemination.

Waiver\_FreeToPublicOrFee: There will be no fee.

Waiver\_PrivateCommericalInterest: I would like the information for use in research for a graduate assignment.

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RESPONSE TO FREEDOM OF  
INFORMATION ACT (FOIA) REQUEST

2017-0691

1

RESPONSE  
TYPE☐

INTERIM

☒

FINAL

REQUESTER:

Megan Ford

DATE:

09/18/2017

## DESCRIPTION OF REQUESTED RECORDS:

Number of nuclear war heads on the planet, broken down by country

## PART I. -- INFORMATION RELEASED

You have the right to seek assistance from the NRC's FOIA Public Liaison. Contact information for the NRC's FOIA Public Liaison is available at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>

- ☐ Agency records subject to the request are already available on the Public NRC Website, in Public ADAMS or on microfiche in the NRC Public Document Room.
- ☐ Agency records subject to the request are enclosed.
- ☐ Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- ☐ We are continuing to process your request.
- ☒ See Comments.

## PART I.A -- FEES

AMOUNT\*

\*See Comments for details

- ☐ You will be billed by NRC for the amount listed.
- ☐ You will receive a refund for the amount listed.
- ☐ Fees waived.

## NO FEES

- ☐ Minimum fee threshold not met.
- ☐ Due to our delayed response, you will not be charged fees.

## PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- ☐ We did not locate any agency records responsive to your request. Note: Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- ☐ We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- ☐ Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.

☐ You may appeal this final determination within 90 calendar days of the date of this response by sending a letter or e-mail to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal." You have the right to seek dispute resolution services from the NRC's Public Liaison, or the Office of Government Information Services (OGIS). Contact information for OGIS is available at <https://ogis.archives.gov/about-ogis/contact-information.htm>

## PART I.C COMMENTS ( Use attached Comments continuation page if required)

The Nuclear Regulatory Commission (NRC) received your FOIA request as described above. However, we believe this request falls under the purview of the U.S. Department of Defense. Their website is: [www.defense.gov](http://www.defense.gov). If the NRC can be of further assistance, please let us know.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney  
DN: cn=US, o=U.S. Government, ou=U.S. Nuclear Regulatory Commission, email=Stephanie.A.Blaney@nrc.gov, c=US  
Date: 2017.09.18 09:59:47 -0400

**RESPONSE TO FREEDOM OF  
INFORMATION ACT (FOIA) REQUEST**

2017-0691

1

RESPONSE  
TYPE

## INTERIM

**FINAL**

**REQUESTER:**

Megan Ford

DATE:

09/18/2017

**DESCRIPTION OF REQUESTED RECORDS:**

### Number of nuclear war heads on the planet, broken down by country

**PART I. -- INFORMATION RELEASED**

You have the right to seek assistance from the NRC's FOIA Public Liaison. Contact information for the NRC's FOIA Public Liaison is available at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>

- ☐ Agency records subject to the request are already available on the Public NRC Website, in Public ADAMS or on microfiche in the NRC Public Document Room.
- ☐ Agency records subject to the request are enclosed.
- ☐ Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- ☐ We are continuing to process your request.
- ☒ See Comments.

## PART I.A - FEES

## NO FEES

AMOUNT\*

\*See Comments for details

- ☐ You will be billed by NRC for the amount listed.
- ☐ You will receive a refund for the amount listed.
- ☐ Fees waived.

- ☐ Minimum fee threshold not met.
- ☐ Due to our delayed response, you will not be charged fees.

**PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE**

- ☐ We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- ☐ We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- ☐ Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.

☐ You may appeal this final determination within 90 calendar days of the date of this response by sending a letter or e-mail to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal." You have the right to seek dispute resolution services from the NRC's Public Liaison, or the Office of Government Information Services (OGIS). Contact information for OGIS is available at <https://ogis.archives.gov/about-ogis/contact-information.htm>

**PART I.C COMMENTS ( Use attached Comments continuation page if required)**

The Nuclear Regulatory Commission (NRC) received your FOIA request as described above. However, we believe this request falls under the purview of the U.S. Department of Defense. Their website is: [www.defense.gov](http://www.defense.gov). If the NRC can be of further assistance, please let us know.

**Signature - Freedom of Information Act Officer or Designee**

Stephanie A. Blaney

Duly signed by Stephanie A. Stanley  
DN: cn=US Government, ou=U.S. Nuclear Regulatory Commission, ou=NRC,  
PW, cn=Stephanie A. Stanley, o=92342.19200300, st=1, c=US  
Date: 2017.09.18 15:58:23 -0400

### Distribution

OFFICE	ACTION OFFICER	FOIA OFFICER				<input type="checkbox"/> PUBLIC ADAMS <input checked="" type="checkbox"/> NON-PUBLIC ADAMS
NAME	Tennis	SBlaney				
DATE	09/18/2017	09/18/2017				